



CERTIFIED TRUE COPY

Marilyn F. Retutal
MARILYN F. RETUTAL
IRRS IV, Bureau of Legal Affairs, IP PHL

THE ROGEMSON COMPANY, INC.,
Petitioner,

IPC NO. 14-2009-00163
Cancellation of:

- versus -

Reg. No. 4-2007-010604
Date Issued: 25 Feb. 2009
TM: "BIOGENIC"

UNITED LABORATORIES, INC.,
Respondent-Registrant.

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ORDER NO. 2012- 110(D)

ORDER

The Petitioner filed a MANIFESTATION on 12 March 2012 stating, among other things, that the Respondent-Registrant's trademark registration for "BIOGENIC" has already been removed from the Trademark Registry because the said party failed to file the required Declaration of Actual Use within three years following the filing of the trademark application.

In this regard, this Bureau issued on 24 April 2012 Order No. 2012-611 directing the Petitioner to submit proof Reg. No. 4-2007-010604 has already been removed from the Trademark Registry.

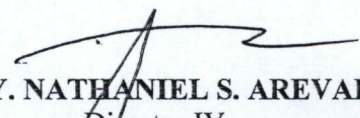
On 16 May 2012, the Petitioner filed a COMPLIANCE submitting a certification of 08 May 2012 of the Administrative Officer of the Bureau of Trademarks stating that Reg. No. 4-2007-010604 "was cancelled as of 25 September 20102 for non-filing of the required Declaration of Actual Use (DAU)."

With proof that Reg. No. 4-2007-010604 was already cancelled, there is no more reason or basis to proceed with this case.

WHEREFORE, premises considered, the instant petition for cancellation is hereby **DISMISSED**. Let the filewrapper of Trademark Reg. No. 4-2007-010604 be returned, together with a copy of this Order, to the Bureau of Trademarks for information and appropriate action.

SO ORDERED.

Taguig City, 19 June 2012.


ATTY. NATHANIEL S. AREVALO
Director IV
Bureau of Legal Affairs

Copy furnished :

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